

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO. 10410 OF 2006

DATED: 25-05-2006

BETWEEN:

M/S Ponnula Food Products

. PETITIONER

and

The District Collector, Kadapa and others

. RESPONDENTS

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO. 10410 OF 2006

ORDER:

The petitioner is an industry and was extended power supply. Through

proceedings dated 03.04.2006, the third respondent disconnected the power supply to the petitioner on 12.05.2006. The petitioner states that when he approached the third respondent, a copy of memo dated 03.04.2006 was furnished, which is stated to be the basis for disconnection of power supply. The petitioner is challenging the same

Heard the learned counsel for the petitioner and learned standing counsel for the third respondent.

A perusal of the memo dated 03.04.2006 discloses that the third respondent directed his subordinate staff to disconnect the power supply to such of those industries which are not having BIS certification for manufacture/sale of packaged drinking water. The petitioner contends that it is not undertaking the activity of manufacture and sale of packaged drinking water. Even assuming the power supply of the petitioner is liable to be disconnected for any reason, it is the basic obligation of the third respondent to serve a show cause notice and take further steps only after receiving the explanation. Such course was not adopted in this case. On this short ground, the impugned order is set aside. The third respondent is directed to restore the power supply to the petitioner forthwith. It is however made clear that it is open to the third respondent to issue show cause notice to the petitioner and take further action in accordance with law.

The writ petition is accordingly disposed of. No costs.

L.NARASIMHA REDDY,J

Dated: 25-05-2006

Kvrm/bsc